



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,581	09/29/2000	Diana G. Hildreth	P/2167-165	3870

7590 01/09/2004

Steven I Weisburd, Esq.
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas- 41st Floor
New York, NY 10036-2714

EXAMINER

POINVIL, FRANTZY

ART UNIT	PAPER NUMBER
----------	--------------

3628

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/677,581

Applicant(s)

HILDRETH, DIANA G.

Examiner

Frantzy Poinvil

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-13, 20-32, 39-52, 15, 34, 54, 58 and 60-64 are rejected under 35 U.S.C. 102(e) as being anticipated by Norris (US Patent No. 6,105,007).

As per claim 1, Norris discloses a system and method for allowing a user of a user terminal to receive credit financing opportunities (see the abstract), the method comprising: receiving credit data from the user terminal, the credit data including a user objective and a credit profile; determining credit financing opportunities based on the credit data and at least one predetermined decision rule; generating an output, the output including comparison of at least part of the credit profile with the determined credit financing opportunities; and providing the output to the user terminal.

As per the above noted features, applicant is directed to columns 6 and 7 of Norris.

As per claim 2, Norris discloses the method including receiving a request from the user terminal to apply for a determined credit opportunity (column 6, lines 13-44).

As per claim 3, Norris discloses the credit profile is comprised of at least one user credit data element, the at least one user credit data element identifying one or more characteristics of corresponding financing previously undertaken by the user (column 6, lines 45-47 and column 9, lines 38-40).

As per claim 4, Norris discloses generating the output includes generating a first level output and generating a second level output (column 6, lines 54-64 and column 8, lines 56-67).

As per claim 5, Norris discloses the first level output includes one or more comparisons determined credit opportunity with a respective one of the at least one user credit data elements (column 7, lines 10-37).

As per claim 6, Norris discloses there are a plurality of credit data elements and the second output includes one or more comparisons of a determined credit opportunity with the plurality of user credit data elements (column 7, lines 10-37).

As per claim 7, Norris discloses a summary of the user profile data (column 8, lines 56-67 and column 6, lines 54-64).

As per claim 8, Norris discloses the at least one user credit data element includes an interest rate, an outstanding balance and a monthly payment (column 6, lines 45-46) as these information are obtained from a credit bureau.

As per claim 9, Norris discloses the at least one user credit data element further includes an identification of whether the corresponding credit data element was issued by a provider of the financing opportunities (as these information are obtained from the credit bureau and or provided by the loan applicant).

As per claim 10, Norris discloses the at least one user credit data element corresponds to at least one credit card, a vehicle loan, secured debt, an unsecured debt, home equity loan and a residential mortgage (column 6, lines 45-46).

As per claim 11, Norris discloses the summary includes at least one summary area corresponding to one of the user's credit cards, personal lines of credit, personal loans, home equity lines of credit, auto loans, unsecured credit and total outstanding credit (see column 8, lines 56-67).

As per claim 12, Norris discloses the user data further includes personal data corresponding to the user and further including the act of obtaining credit worthiness report based on the personal data (column 6, lines 29-46).

As per claim 13, Norris disclose determining credit financing opportunities includes consideration of the credit worthiness of the corresponding user (column 6, lines 45-64).

Claims 20-32 and 39-52 are directed to a computer storage medium storing computer executable instructions which when executed perform the functions found in claims 1-13. It is noted that Norris is a computer system and contains storage means and a processor for performing the functions recited in claims 1-13. Thus, claims 20-32 and 39-52 are rejected under a similar rationale applied to claims 1-13 above.

As per claims 15, 34 and 54, Norris discloses the user profile data includes a state of residence and wherein the predetermined decision rules include consideration of the state residence and current interest rates for potential financing opportunities (column 6, lines 29-44).

As per claim 58, Norris discloses a method for allowing a user of a user terminal to apply for a credit financing opportunity via a communication network, the method comprising:

Receiving a user objective from the user terminal, the user objective indicating that the user wishes to obtain credit;

Providing a list of potential financing products to the user terminal;

Receiving a request from the user terminal for information corresponding to a selected one of the potential financing products;

Providing the information to the user terminal; and

Receiving a request from the user terminal to initiate an application for the selected financing product .

As per these limitations, applicant is directed to column 6 lines 13-64 of Norris.

As per claim 60, Norris discloses a method for allowing a user of a terminal to receive optimized information regarding a selected topic, the method comprising :

Receiving input data from the user terminal, the input data including a user objective (see column 6, line 13 to column 7, line 53);

Querying a knowledge base regarding the input data and retrieving operational data from the knowledge base;

Determining optimized information based on the results of applying at least one predetermined decision rule to the operational data and user objective;

Generating an output and providing the output to the terminal.

As per these limitations, applicant is referred to column 6, line 13 to column 7, line 53.

As per claim 61, the knowledge base is connected to an electronic network. See figure 1 of Norris.

As per claim 62, the output includes links to at least one other electronic site (column 9, lines 47-60).

As per claim 63, querying at least one search engine concerning the input data and processing the results of the querying of at least one search engine (see column 6, line 13 to column 7, line 53).

As per claim 64, see column 8, lines 56-67 of Norris.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16-18, 35-38, 55-57 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris (US Patent No. 6,105,007).

The teachings of Norris are discussed above. As per claims 16-17, 35-36 and 55-56, Norris does not explicitly teach including receiving a request for detailed information corresponding to a selected one of the financing opportunities and wherein at least a part of the output is provided a substantially pictorial form and wherein the pictorial form includes at least one of a graph and a pie chart. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Norris to include such a feature in order to provide loan applicants with detailed information they can analyze at a glance.

As per claims 18, 37 and 57, the teachings of Norris are discussed above. Norris does not explicitly teach the predetermined decision rules further consider the user's taxation rate in determining viable credit opportunities. Considering a user's taxation rate in determining credit opportunities would have been obvious to one of ordinary skill in the art in order to determine the true value that a user is qualified for especially if the loan is for a home in which the tax may be excessively high.

As per claims 19 and 38, the teachings of Norris are discussed above. Norris does not explicitly teach preparing a list of potential financing opportunities at least partially based on opportunity data received from at least one product processor, and wherein the determined financing opportunities are selected from the prepared list. Preparing such a list would have been obvious to one of ordinary skill in the art in the system of Norris in order to show all types of loan an applicant is qualified to apply for.

As per claim 59, Norris discloses providing a loan to applicants. Norris does not explicitly specifies the type of loans include: vehicle loans, education loans, home improvement loans, medical loans, large event loans and vacation loans. These loans are usually made available to consumers or loan applicants from various banks and or financial institutions. Providing these types of loans in the system of Norris would have been obvious to one of ordinary skill in the art in order to provide users with a system capable of providing a complete and multitude banking functions thereby making the system attractive to users.

As per claim 59, Norris discloses providing a loan to applicants. Norris does not explicitly specify the type of loans include: vehicle loans, education loans, home improvement loans, medical loans, large event loans and vacation loans. These loans are usually made available to consumers or loan applicants from various banks and or financial institutions. Providing these types of loans in the system of Norris would have been obvious to one of ordinary skill in the art in order to provide users with a system capable of providing a complete and multitude banking functions thereby making the system attractive to users.

3. Claims 14, 33 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris (US Patent No. 6,105,007) as applied to claims 1, 20 and 39 and further in view of the LA TIMES, Mortgage Math Made Easy OnLine, ISBN: 04583035, Los Angeles, California, June 17, 1999.

As per claims 14, 33 and 53, the teachings of Norris are discussed above. Norris does not explicitly disclose the credit opportunity is considered viable if is determined in the determining act that the user will save least a predetermined amount of money during a predetermined time period. The LaTimes discloses an article wherein a user remotely accesses a remote mortgage company for applying for a loan. See the article. Terms of how much a borrower is saving are displayed to the applicant. See the article. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of displaying how much a borrower will save to the borrower as taught by the LaTimes in the system of Norris in order to influence the applicant to apply for a loan or credit.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday-Thursday 7:00AM-5:30PM.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

FP

December 20, 2003

FPoinvil
FRANTZY POINVIL
FAX (703) 872-9327
Au 3628